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In paragraph 3 of the Office Action, claims 1-17 and 31-34 were rejected under 35 U.S.C.§103(a) as being unpatentable over Yasuda et al.

Reconsideration is requested.

The Yasuda et al. patent relates to a labeled container having a removable container where the label includes a coupon comprising at least one removable section. The section that is removable is made with notches and perforations which allow the removable section to be removed by tearing the label along the perforations.

The Applicants have carefully studied Yasuda et al. and point out that Yasuda et al disclose a biaxially oriented sheet, an adhesive layer under the coupon, deadened with a patterned silicone layer and a perforated border around the edges of the coupon to facilitate coupon removal. In contrast, the label called for by claims 1-17 of the present application, uses a uniaxially-oriented film (required by all of claims 1-17), an abhesive layer under the coupons (required by claims 7, 8, 15, 17, 24 and 25) which do not require scoring and/or perforations, thereby obtaining an easily removable coupon free of wrinkling, creasing and blistering.

In contrast to the present invention the Yasuda et al reference requires that a biaxially-oriented film must be used. Yasuda et al's base layer comprises a biaxially stretched film, (Abstract), prepared by first stretching in the machine direction then stretching in the transverse direction (Specification, Col. 5, lines 10-23).

Yasuda et al. also teach that where base layer 2 is a composite film, it can comprise a biaxially stretched core layer and a uniaxially stretched paper layer. The orientation of the paper layer is not specified as to the machine direction or transverse direction which is indicia that Yasuda et al. fail to make obvious the specific orientation that is described in the present specification.

Furthermore, Yasuda, et al, go on to state, with reference to Figures 1 and 2:

"As previously explained, adhesive layer 3 is not formed on the entire back side of base layer 2. That is, it is applied to the part except less adhesive zone 4 where adhesive layer 3a

is formed at a density of not more than 50%."(Col. 5, lines 52-56); and

"Alternatively, the adhesive layer comprising adhesive layer 3b partitioned by less adhesive layer 3a can be formed by applying an adhesive layer on the entire back side of base layer 2 by extrusion and applying a parting agent, such as a silicone resin, in a dot form, a stripe form, a check form, etc, to the adhesive layer corresponding to coupon 5" (Col. 6, lines 20-26).

As the Applicants herein and their disclosure explain, it is critical to the present invention that the abhesive layer is always put down before a continuous layer of adhesive is put down overall. This results in a structure that is distinctly different from Yasuda et al's Figure 1 and 2, in which the 3b's are interrupted by 3a, rendering the adhesive layer discontinuous. Thus claims 7 and 24 and the claims that are dependent on these claims are patentable over Yasuda et al. for the further reason that they define a structural difference and not only differ merely by the particular material used or the measurements thereof.

Claim 1 has been amended to point out that the discontinuities are "notches" as disclosed in the specification at page 5, line 9 in order to avoid any inference that the discontinuities might include the perforations of Yasuda et al. The text of claim 1 now recites that the label is positioned with the uniaxially oriented polymeric film oriented in line with the direction in which said tear-removable section is to be removed. This is a structural limitation on the manner in which the label is made as the tear is propagated along the axis of the orientation of the polymeric film. At page 1, line 12, the term "abhesive" is defined as a patterned anti-adhesive. This is not a misspelling as this term is well known. Yasuda et al. is silent as to the use of an abhesive for any purpose whatsoever. For these reason, it is requested that this ground of rejection be reconsider and withdrawn.

An early and favorable action is earnestly solicited.

Respectfully submitted,

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Marked Up Copy of Amended Claims:

1. (twice amended) A label having at least one tear-removable section and at least one permanent section, said removable section consisting essentially of a part of said label which is [being] defined by two or more notches [discontinuities] spaced apart on [an] the same edge of said label, said label being made from a polymeric film that is uniaxially oriented in line with the direction in which said tear-removable section is to be removed [of tear] by stretching in the machine direction in which said polymeric film is uniaxially oriented only, and said notches [discontinuities] being located so that a line which is extended to connect said notches [discontinuities] is substantially perpendicular to the axis of orientation of said polymeric film and said notches being located at the interface of the permanent and removable sections.

7. (twice amended) A label having at least one tear-removable section and at least one permanent section, said removable section being defined by two or more notches [discontinuities] spaced apart on [an] the same edge of said label, said label being made from a polymeric film that is uniaxially oriented in line with the direction in which said tear-removable section is to be removed [of tear] by stretching in the machine direction in which said polymeric film is uniaxially oriented only, and said notches [discontinuities] being located so that a line which is extended to connect said notches [discontinuities] is substantially perpendicular to the axis of orientation of said polymeric film;

wherein a print-receiving face of said polymeric film includes at least one print enhancing surface to enhance the anchorage of ink, said print enhancing surface comprising a primer, a product of flame-treatment, corona-treatment or chemical treatment, a coextruded print receiving layer or a combination of any of the foregoing layers;

wherein said permanent and the removable sections are provided with a continuous adhesive layer for anchoring the permanent section to a surface; and

wherein the removable section is provided first with a removable-section-defining abhesive layer for stripping the removable section from a surface.